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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/849,832

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Katsuakira Moriwake

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7590

03/24/2006

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EXAMINER

MUHEBBULLAH, SAJEDA

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/849,832		MORIWAKE ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Sajeda Muhebbullah		2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 143, 144, 146 and 147 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 143, 144, 146 and 147 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### DETAILED ACTION

1. This communication is responsive to Amendment filed 01/03/2006.
2. Claims 143-144 and 146-147 are pending in this application. Claims 143 and 146 are independent claims. This action is a Non-Final.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 143 and 146 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klingler et al. ("Klingler," US 5,404,316) in view of Corella et al. ("Corella", US 5,835,683).

As per claim 143, Klingler teaches an editing system for editing a plurality of clips to produce an edit resultant clip, comprising:

editing means for edit processing said plurality of clips on the basis of clip management data defining the edit processing performed on each of said plurality of clips to produce said edit resultant clip (col.5, lines 2-15);

managing means for managing said plurality of clips on the basis of link information indicating a tree structure for linking said plurality of clips to produce said edit resultant clip (col.7, lines 64-68; col.8, lines 1-12); and

control means for modifying the edit processing performed on one of said plurality of clips in producing said edit resultant clip (col.1, lines 32-39) and automatically updating said clip

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management data and link information for each of said plurality of clips in accordance with the modified edit processing (col.1, lines 33-34; col.2, lines 43-44; col.5, lines 46-63).

However, Klingler does not teach the clips to have a corresponding enable/disable flag, setting the flags corresponding to each clip linked in the tree structure above the modified edit processing to disable, re-edit processing the clips having flags set to disable, thereby re-producing the edit resultant clip to include the modified edit processing and resetting the flags to enable. Corella teaches an editing means to include a plurality of values having a corresponding flag, setting the flag corresponding to each value modified to disable, re-edit processing the values having flags set to disable, thereby re-producing the values to include the modified edit processing and resetting the flags to enable (Corella, col.20, lines 22-27). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Corellas's teaching with Klingler's system in order to alert the user of areas which have been modified.

Independent claim 146 is similar in scope to independent claim 143, and is therefore rejected under similar rationale.

5. Claims 144 and 147 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klingler et al. ("Klingler," US 5,404,316) and Corella et al. ("Corella", US 5,835,683) in view of Duffy et al. ("Duffy", US 5,339,393).

As per claim 144, the system of Klingler and Corella teaches storing of the clip management data and link information in a storage memory but does not disclose this storage to be a database. Duffy teaches an editing system where a database is used to store clip information (Duffy, col.2, lines 19-25). It would have been obvious to one of ordinary skill in the art at the

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time of the invention to include Duffy's teaching with the system of Klingler and Corella in order to provide an alternatively efficient means of storage.

Claim 147 is similar in scope to claim 144, and is therefore rejected under similar rationale.

### *Response to Arguments*

6. Applicant's arguments, see page 6, lines 5-16, filed 01/03/2006, with respect to the rejection(s) of claim(s) 143 and 146 under 35 U.S.C. 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Corella et al. (US 5,835,683).

### *Communications*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:00 am to 4:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

***Sajeda Muhebbullah***  
***Patent Examiner***  
***Art Unit 2174***

*Kristine Kincaid*  
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